

United States District Court  
Eastern District of Tennessee

UNITED STATES OF AMERICA  
v.  
DANNY T. MCTAGGART

JUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)  
Case Number: 3:07-PO-47

Defendant's Attorney

**THE DEFENDANT:**

- pleaded guilty to count(s): 1,2,3 (TE41 1205635, 1205636, 1205637)  
 pleaded nolo contendere to count(s) \_\_ which was accepted by the court.  
 was found guilty on count(s) \_\_ after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
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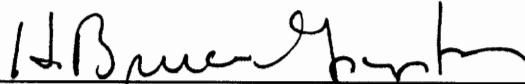
See next page.

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

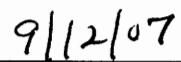
- The defendant has been found not guilty on count(s) \_\_\_.  
 Count(s) \_\_ [] is [] are dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and the United States attorney of any material change in the defendant's economic circumstances.

September 12, 2007  
Date of Imposition of Judgment

  
Signature of Judicial Officer

H. BRUCE GUYTON, United States Magistrate Judge  
Name & Title of Judicial Officer

  
Date

DEFENDANT: DANNY T. MCTAGGART  
CASE NUMBER: 3:07-PO-47

## ADDITIONAL COUNTS OF CONVICTION

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
36 CFR 4.23(a) 1 & 2	Operating a Motor Vehicle with a Blood Alcohol Level over .08 and Under the Influence of Alcohol to a Degree of Being Incapable of control.	7/14/07	1
36 CFR 4.14(b)	Possession of Open container of Alcohol: Driver	7/14/07	2
36 CFR 4.2(b)	Reckless Operation of a Motor Vehicle	7/14/07	3

DEFENDANT: DANNY T. MCTAGGART  
CASE NUMBER: 3:07-PO-47

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 48 hours with credit for time served as to court one (1).

- [ ] The court makes the following recommendations to the Bureau of Prisons:
- [ ] The defendant is remanded to the custody of the United States Marshal.
- [ ] The defendant shall surrender to the United States Marshal for this district:  
[ ] at \_\_ [ ] a.m. [ ] p.m. on \_\_.  
[ ] as notified by the United States Marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:  
[ ] before 2 p.m. on \_\_.  
 as notified by the United States Marshal.  
[ ] as notified by the Probation or Pretrial Services Office.

## RETURN

I have executed this judgment as follows:

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Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

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UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

DEFENDANT: DANNY T. MCTAGGART  
CASE NUMBER: 3:07-PO-47

## CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B. The assessment is ordered in accordance with 18 U.S.C. § 3013.

	<u>Assessment</u>	<u>Fine</u>	<u>Processing Fee</u>
Totals:	\$ 30.00	\$ 500.00	\$ 75.00

- The determination of restitution is deferred until \_\_\_. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.
- The defendant shall make restitution (including community restitution) to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, if the United States is a victim, all other victims, if any, shall receive full restitution before the United States receives any restitution, and all restitution shall be paid to the victims before any restitution is paid to a provider of compensation, pursuant to 18 U.S.C. § 3664.

<u>Name of Payee</u>	<u>*Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
TOTALS:	\$__	\$__	

- If applicable, restitution amount ordered pursuant to plea agreement \$ \_\_

The defendant shall pay interest on any fine or restitution of more than \$2500, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).

- The court determined that the defendant does not have the ability to pay interest, and it is ordered that:
  - The interest requirement is waived for the       fine and/or       restitution.
  - The interest requirement for the       fine and/or       restitution is modified as follows:

DEFENDANT: DANNY T. MCTAGGART  
CASE NUMBER: 3:07-PO-47

## SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A  Lump sum payment of \$ 605.00 due immediately, balance due  
 not later than 2/13/07, or  
 in accordance with C, D, or E below; or
- B  Payment to begin immediately (may be combined with C, D, or E below); or
- C  Payment in    (e.g., equal, weekly, monthly, quarterly) installments of \$    over a period of    (e.g., months or years), to commence    (e.g., 30 or 60 days) after the date of this judgment; or
- D  Payment in    (e.g., equal, weekly, monthly, quarterly) installments of \$    over a period of    (e.g., months or years), to commence    (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E  Payment during the term of supervised release will commence within    (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F  Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. Unless otherwise directed by the court, the probation officer, or the United States attorney, all criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, shall be made to **U.S. District Court, 800 Market St., Suite 130, Knoxville, TN 37902**. Payments shall be in the form of a check or a money order, made payable to U.S. District Court, with a notation of the case number.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

- The defendant shall pay the cost of prosecution.  
 The defendant shall pay the following court cost(s):  
 The defendant shall forfeit the defendant's interest in the following property to the United States:



## United States District Court

CVB Location Code  
TEYI

## Violation Notice

Violation Number <b>1205636</b>	Officer Name (Print) <b>KETH GARD</b>	Officer No <b>1647</b>
<b>YOU ARE CHARGED WITH THE FOLLOWING VIOLATION</b>		
Date and Time of Offense (mm/dd/yyyy) <b>7/14/07 2352</b>	Offense Charged <input checked="" type="checkbox"/> FOFRA <input type="checkbox"/> USC <input type="checkbox"/> State Code	Place of Offense <b>Foothills Parkway West</b>
Offense Description <b>Possession of open container of alcohol: Driver</b>		
<b>DEFENDANT INFORMATION</b>		Phone (          ) <b>30-20-00</b>
Last Name <b>McTAGGART</b>	First Name <b>DANNY</b>	Middle Initial <b>T.</b>
Street Address <b>6002 Kentucky Street</b>		
City <b>TAUSSSE</b>	State <b>TN</b>	Zip Code <b>37878</b>
Drivers License No <b>101239845</b>	D.L. State <b>TN</b>	Social Security No <b>412-49-7234</b>
Adult <input type="checkbox"/> Juvenile <input checked="" type="checkbox"/>	Sex <b>Male</b>	Height <b>6'1"</b>
Vehicle Description <b>Tag No OM HLD</b>	Year <b>88</b>	Make/Model <b>CAPRIUS BLACK</b>
Color <b>Black</b>		
A <input checked="" type="checkbox"/> BOX A IS CHECKED, YOU MUST APPEAR IN COURT SEE INSTRUCTIONS (on back of yellow copy)		
B <input type="checkbox"/> IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT SEE INSTRUCTIONS (on back of yellow copy)		
<b>\$ COURT</b> Forfeiture Amount + \$25 Processing Fee		
<b>PAY THIS AMOUNT → YOUR COURT DATE</b>		
(If no court appearance date is shown, you will be notified of your appearance date by mail)		
Court Address <b>7/16/07</b>		
Date (mm/dd/yyyy) <b>7/16/07</b>		
Time (hh:mm) <b>11:12</b>		

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt  
I promise to appear for the hearing at the time and place instructed or pay the total collateral due

X Defendant Signature

**Danny McTaggart**STATEMENT OF PROBABLE CAUSE  
(For issuance of an arrest warrant or summons)

I state that on July 14, 2007 while exercising my duties as a law enforcement officer in the Eastern District of Tennessee

I was patrolling northbound on the Foothills Parkway West within Great Smoky Mountains National Park when I observed a vehicle traveling southbound around a corner at a high rate of speed. I turned around to follow the vehicle, speed. I had to drive at over 70 mph for more than a mile to catch up to the vehicle. When I got behind the Cadillac and started following, it was traveling at around 55-60 mph, but soon began to speed up and I followed it for a couple of miles at speeds over 70 mph. The Cadillac swayed and leaned as it rounded even slight curves and was more than halfway over the centerline for a hundred yards or so at least twice. I stopped the vehicle and the driver identified himself to me as Danny McTaggart with a date of birth of 5/7/86. While I was standing at the passenger door of the vehicle I observed a 1.75 Liter Tvarski Vodka bottle that was about half empty.

McTaggart's eyes were pink and he was slow with his responses. McTaggart performed poorly on Standardized Field Sobriety Maneuvers and provided a breath sample on my Alco-Sensor IV that read .098. McTaggart stated to me that he thought whoever was behind him was wanting to race and that's why he kept speeding up.

The foregoing statement is based upon  
 my personal observation       my personal investigation  
 information supplied to me from my fellow officer's observation  
 other (explain above)

I declare under penalty of perjury that the information whom I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on 7/16/07 Officer's Signature  
 Date (mm/dd/yyyy) 7/16/07  
 Officer's Signature Danny McTaggart

Probable cause has been stated for the issuance of a warrant

X Defendant Signature

**Danny McTaggart**

Executed on 7/16/07  
 Date (mm/dd/yyyy) 7/16/07  
 US Magistrate Judge  
**GVR Scan R/R/2007 11 12 nn**

# United States District Court

CVB Location Code

## Violation Notice

Violation Number

**1205637**

**1205637**

Officer Name (Print)

**KETHLEAD**

**1205637**

Officer No

**11697**

**7141072352**

**8130**

Date and Time of Offense (mm/dd/yyyy)

**26-CP2 4-2 (b)**

**7-14-10**

Offense Charged

**USC 39-1-205**

**7-14-10-205**

State Code

**TN:SS-10-205**

**8130**

Place of Offense

**6-2179**

**Foothills Parkway West**

**Reckless Operation of a Motor Vehicle**

Offense Description

### DEFENDANT INFORMATION

Phone ( **73-29-00** )

Last Name **McTAGGART** First Name **DANNY** MI **T.**  
Street Address **6002 Kentucky Street**

City **TN** State **TN** Zip Code **37878** Date of Birth (mm/dd/yyyy) **5/7/86**

Drivers License No **101239845** DL State **TN** Social Security No **412-47-7234**

Sex  Male  Female Hair **Blk** Eye **Blu** Height **6'1"** Weight **160**

### VEHICLE DESCRIPTION

VIN

Tag No <b>OM 44D</b>	State <b>TN</b>	Year <b>88</b>	Make/Model <b>CARDIUM BLACK</b>
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A  BOX A IS CHECKED, YOU MUST  
MUST APPEAR IN COURT SEE  
INSTRUCTIONS (on back of yellow copy)  
SEE INSTRUCTIONS (on back of yellow copy)

B  IF BOX B IS CHECKED, YOU MUST  
PAY AMOUNT INDICATED BELOW  
OR APPEAR IN COURT

SEE INSTRUCTIONS (on back of yellow copy)

**PAY THIS AMOUNT →**

**\$ 200.00**

**+ \$25 Processing Fee**

**YOUR COURT DATE**

(If no court appearance date is shown you will be notified of your appearance date by mail)

Court Address

Date (mm/dd/yyyy)

Time (hh:mm)

Probable cause has been stated for the issuance of a warrant

My signature signifies that I have received a copy of this violation notice  
I promise to appear at the hearing at the time and place instructed or pay the total collateral due

X Defendant Signature

STATEMENT OF PROBABLE CAUSE  
(For issuance of an arrest warrant or summons)

I state that on **July 14, 2017** while exercising my duties as a law enforcement officer in the Eastern **Tennessee** District

I was patrolling northbound on the Foothills Parkway West within Great Smoky Mountains National Park when I observed a vehicle traveling southbound around a corner at a high rate of speed. I turned around to follow the vehicle, a black Cadillac with TN plate 077 HLD, and pace its speed. I had to drive at over 70 mph for more than a mile to catch up to the vehicle. When I got behind the Cadillac and started following it, it was traveling at around 55-60 mph, but soon began to speed up and I followed it for a couple of miles at speeds over 70 mph. The Cadillac swayed and leaned as it rounded even slight curves and was more than halfway over the centerline for a hundred yards or so at least twice. I stopped the vehicle and the driver identified himself to me as Danny McTaggart with a date of birth of 5/7/86. While I was standing at the passenger door of the vehicle I observed a 1.75 Liter Tvarski Vodka bottle that was about half empty. McTaggart's eyes were pink and he was slow with his responses. McTaggart performed poorly on Standardized Field Sobriety Maneuvers and provided a breath sample on my Alco-Sensor IV that read .098. McTaggart stated to me that he thought whoever was behind him was wanting to race and that's why he kept speeding up.

The foregoing statement is based upon

my personal observation       my personal investigation information supplied to me from my fellow officer's observation other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge

Executed on **7/16/07** Officer's Signature

Date (mm/dd/yyyy)

Probable cause has been stated for the issuance of a warrant

My signature signifies that I have received a copy of this violation notice  
It is not an admission of guilt

X Defendant Signature

Executed on **7/16/07** U.S. Magistrate Judge

Date (mm/dd/yyyy)

CVR Scan R/R/2007 11 12 nn

**United States District Court**  
**EASTERN DISTRICT OF TENNESSEE**

UNITED STATES OF AMERICA  
 V.

DANNY T. McTAGGART

Defendant

O.R.

APPEARANCE BOND

CASE NUMBER:

Non-surety: I, the undersigned defendant acknowledge that I and my...  
 personal representatives, jointly and severally, are bound to pay to the United States of America the sum of  
 \$ 500.00.

The conditions of this bond are that the defendant is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

IN RETURN FOR MY RELEASE ON THIS BOND, I HEREBY WAIVE (GIVE UP) MY RIGHT TO BE TAKEN BEFORE A JUDICIAL OFFICER REASONABLY PROMPTLY AND TO HAVE THAT JUDICIAL OFFICER ADVISE ME OF MY RIGHTS AND SET A BOND. I AGREE TO APPEAR IN COURT WHEN NOTIFIED TO DO SO AND I UNDERSTAND THAT AN ARREST WARRANT MAY ISSUE FOR ME IF I FAIL TO APPEAR.

THIS BOND IS SIGNED ON \_\_\_\_\_ AT \_\_\_\_\_.  
 date \_\_\_\_\_ place \_\_\_\_\_

Defendant's Signature \_\_\_\_\_ Address \_\_\_\_\_

Witness \_\_\_\_\_

Phone \_\_\_\_\_

APPROVED BY JUDGE \_\_\_\_\_

STATE MAGISTRATE Robert Brown DATE 7/15/07

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA )

v )

MCTAGGART, DANNY T )  
6002 KENTUCKY ST )

TALLASSEE, TN 37878

) NO. TE41 1205635 -7

AGREEMENT TO PAY FINES IN INSTALLMENTS

I have requested that I be allowed to pay my fines of \$ 605 in installments, as follows: TO PAY 8 TODAY AND TO PAY BALANCE OF \$605 BY Feb 13, 2008

1. I represent that I currently have the financial ability to make these installment payments on the date each is due;
2. If I do not have the entire fine (including costs) when due, then my failure to pay may result in garnishment of my income tax return and/or suspension of my drivers licence.

TODAY'S DATE: September 12, 2007.

Danny mctaggart  
(Defendant Signature)

\_\_\_\_\_  
(Defendant's Attorney Signature)

**PLEA AGREEMENT  
DEFENDANT CONTACT INFORMATION**

**DEFENDANT NAME:** Danny Tavio mc taggart

**Physical Address:** 1807 ADKINS way Luisiville TN 37771

**Mailing Address:** 6002 kentucky st TAIIASSEE TN  
37878

**Phone Numbers:**  **Cell:** 216 - 53 - 54  
 **Hard Line:** 865 - 374 8680

**PLACE OF EMPLOYMENT:** unemployment

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Work Phone:** \_\_\_\_\_

**Supervisor:** \_\_\_\_\_

**NAME OF PERSON NOT LIVING WITH YOU THAT CAN BE CONTACTED IN ORDER TO REACH YOU:**

**NAME:** my brother skyler mc taggart

**Phone Number:** 379 86 80

**Relationship to you:** brother

**"My information on this form is true, complete, and correct to the best of my knowledge and belief and are made in good faith."**

Danny mc taggart  
**Defendant's Signature**

8/18/07  
**Date**